

**Bruce Margulies**

**From:** Takeshi Hashizume [patent@hashizume.com]  
**Sent:** Tuesday, January 10, 2006 10:54 PM  
**To:** Rick Neifeld  
**Cc:** patent@hashizume.com  
**Subject:** Re: OASum\_HASH0013U-PCT-US1\_060103



URGENT

By facsimile 010-1- 703-415-0013 ( 2 pages)  
and e-mail

January 11, 2006

**Re:** U.S. Patent Application No. 10/765,901  
JAPAN SCIENCE AND TECHNOLOGY AGENCY  
**Title:** Transistor and Semiconductor Device  
**Your Ref.:** HASH0013UPCTUS1  
**Our Ref.:** P0062US/DIV

Dear Rick,

Thank you for your e-mail of January 4, 2006 sending us an Official Action.

We are pleased to provide you herewith our instruction.

Please provisionally elect species (1) with a traverse of the election requirement. Also, please traverse the election requirement on the grounds, for example, (1) that the examiner has not shown that examining both species imposes a substantial examination burden and (2) that the four species have unity of invention as defined in PCT rule 13.2.

Please assert that, for example, the examiner has not shown that examining the form species imposes a substantial examination burden because that is requirement under US examiner guidelines for the examiner to impose a requirement for election.

We leave the argument for traversal to your discretion.

If you think an interview with the examiner to discuss this application will be helpful, please let us know.

Please acknowledge receipt of these instructions by return fax.

Best regards,

Takeshi Hashizume

#####  
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**37 CFR 1.7(c) FILING RECEIPT AND  
TRANSMITTAL LETTER WITH  
AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

Neifeld Docket No.: HASH0013UPCTUS1  
US/PCT Application/Patent No.: 10/765,901  
Priority Data:  
Inventor: KAWASAKI et al.  
Title: Transistor and Semiconductor Device

Client Ref.: P0348US  
US/PCT File/Issue Date: 1/29/2004  
USPTO Confirmation No.: 2602

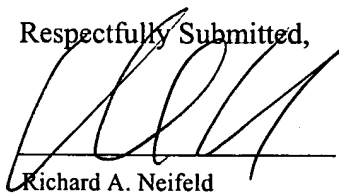
**THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT OFFICE ON  
THE DATE STAMPED HEREON:**

37 CFR 1.7(c) Filing Receipt and Transmittal Letter with Authorization to Charge Deposit Account (in duplicate)  
37 CFR 1.499 Response to Election of Species Requirement (7 pages)

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2106. A duplicate copy of this sheet is enclosed.

1/17/06  
DATE

Respectfully Submitted,

  
Richard A. Neifeld  
Registration No. 35,299  
Attorney of Record

|                | PcLaw Matter | Lawyer      | Amount | Explanation | Date Entered | Initials |
|----------------|--------------|-------------|--------|-------------|--------------|----------|
| Fees:          |              |             |        |             |              |          |
| Fees:          |              |             |        |             |              |          |
| Disbursements: | PcLaw Matter | G/L Account | Amount | Explanation | Date Entered | Initials |
|                |              | 5010        |        |             |              |          |

Printed: September 30, 2005 (1:31pm)

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